

2019 OCT 22 P 3:39

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR WASHINGTON COUNTY

STATE OF OREGON,

Plaintiff,

No. 19CR69491

INDICTMENT - Secret

vs.

JAN MARIE SUTHERLAND,

Defendant.

The above named defendant is accused by the Grand Jury of Washington County by this indictment of the crimes of

- Count 1: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 2: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 3: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 4: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 5: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 6: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 7: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 8: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 9: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 10: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 11: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 12: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 13: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 14: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 15: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 16: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 17: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 18: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 19: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 20: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 21: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 22: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 23: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 24: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 25: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 26: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 27: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 28: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)
- Count 29: AGGRAVATED THEFT IN THE FIRST DEGREE (FSG= 5; B Felony; ORS 164.057)
- Count 30: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A Misdemeanor; ORS 162.415)

committed as follows:

19CR69491

SI

Secret Indictment
11883219



COUNT 1

The defendant, on or between October 22, 2013 and December 31, 2013, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 2

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Count 1: The defendant, on or between January 1, 2014 and April 30, 2014, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 3

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-2: The defendant, on or between May 1, 2014 and August 31, 2014, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 4

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-3: The defendant, on or between September 1, 2014 and December 31, 2014, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 5

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-4: The defendant, on or between January 1, 2015 and April 30, 2015, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 6

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-4, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 5: The defendant, on or between January 1, 2015 and April 30, 2015, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 7

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-6: The defendant, on or between May 1, 2015 and August 31, 2015, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 8

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-6, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 7: The defendant, on or between May 1, 2015 and August 31, 2015, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 9

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-8: The defendant, on or between September 1, 2015 and December 31, 2015, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 10

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-8, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 9: The defendant, on or between September 1, 2015 and December 31, 2015, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 11

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-10: The defendant, on or between January 1, 2016 and April 30, 2016, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 12

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-10, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 11: The defendant, on or between January 1, 2016 and April 30, 2016, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 13

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-12: The defendant, on or between May 1, 2016 and August 31, 2016, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment.

COUNT 14

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-12, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 13: The defendant, on or between May 1, 2016 and August 31, 2016, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment

COUNT 15

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-14: The defendant, on or between September 1, 2016 and December 31, 2016, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within six years of indictment

COUNT 16

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-14, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 15: The defendant, on or between September 1, 2016 and December 31, 2016, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 17

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-16: The defendant, on or between January 1, 2017 and April 30, 2017, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 18

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-16, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 17 The defendant, on or between January 1, 2017 and April 30, 2017, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 19

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-18: The defendant, on or between May 1, 2017 and August 31, 2017, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 20

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-18, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 19 The defendant, on or between May 1, 2017 and August 31, 2017, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 21

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-20: The defendant, on or between September 1, 2017 and December 31, 2017, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 22

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-20, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 21: The defendant, on or between September 1, 2017 and December 31, 2017, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

The state further alleges that the offense is based on misconduct by the defendant while in office as a public officer or employee, that it occurred within two years of the defendant being in public office or employment, and the offense occurred within five years of indictment.

COUNT 23

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-22: The defendant, on or between January 1, 2018 and April 30, 2018, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 24

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-22, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 23: The defendant, on or between January 1, 2018 and April 30, 2018, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

COUNT 25

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-24: The defendant, on or between May 1, 2018 and August 31, 2018, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 26

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-24, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 25: The defendant, on or between May 1, 2018 and August 31, 2018, in Washington County, Oregon, being a public servant did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

COUNT 27

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-26. The defendant, on or between September 1, 2018 and December 31, 2018, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 28

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-26, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 27: The defendant, on or between September 1, 2018 and December 31, 2018, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

COUNT 29

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-28: The defendant, on or between January 1, 2019 and February 21, 2019, in Washington County, Oregon, did unlawfully commit theft of property, of the total value of \$10,000 or more, the property of Washington County Justice Court.

COUNT 30

As a separate act and transaction but as part of crimes that are of the same or similar character and a common scheme and plan as Counts 1-28, and as part of the same act and transaction and part of crimes that are of the same or similar character and a common scheme and plan as Count 29: The defendant, on or between January 1, 2019 and February 21, 2019, in Washington County, Oregon, being a public servant, did unlawfully and knowingly perform an act which act constituted an unauthorized exercise of her official duties, with intent to obtain a benefit.

contrary to the statutes and against the peace and dignity of the State of Oregon

It is hereby affirmatively declared for the record, upon appearance of the defendant for arraignment, and before the Court asks how the defendant pleads to the charges, that the State intends that any misdemeanor offenses charged herein each proceed as a misdemeanor.

Dated: 10/22/19

Witnesses subpoenaed, examined and appeared in person unless otherwise indicated before the Grand Jury for the State of Oregon:

Jeri Adams
Amanda Bewersdorff (by simultaneous television transmission)
Bill Douglas
Wayne Flynn
Sheri Lichtenstein (by affidavit)
Justin Murphy
Michael Purdy
Pamela Pye

DA # 376876
BVP 51-19450359
DOB 04/13/ 1964
FPC #.

☒ Security Amount - \$340,000
☐ Recognizance/Conditional Release

A TRUE BILL

Foreperson of the Grand Jury

KEVIN BARTON, District Attorney

Mark Richman
Deputy District Attorney
Oregon State Bar # 043990

Grand Jury Proceeding Dates:
10/22/19